

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

GEORGIA STATE CONFERENCE OF THE)
NAACP, as an organization; GEORGIA)
COALITION FOR THE PEOPLES' AGENDA, as)
an organization; SANQUAN THOMAS,)
MERRITT HUBERT, TAURUS HUBERT,)
JOHNNY THORNTON, MARTEE FLOURNOY)
and LARRY WEBB;)

Plaintiffs,)

v.)

HANCOCK COUNTY BOARD OF ELECTIONS)
AND REGISTRATION; KATHY RANSOM,)
NANCY STEPHENS, LINDA CLAYTON,)
ROBERT INGRAM, and JIM YOUMANS, in their)
official capacities as members of the Hancock)
County Board of Elections and Registration; and)
TIFFANY MEDLOCK, in her official capacity as)
the Hancock County Elections Supervisor,)

Defendants.)
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)
)

Civil Action
Case No. 5:15-cv-414-CAR

PLAINTIFFS' STATUS REPORT

(Telephone Conference with the
Court: March 3, 2016 at 11 a.m.)

PLAINTIFFS' STATUS REPORT

INTRODUCTION

This report summarizes the events that have occurred in the litigation since the last status conference on February 24, 2016, the February 25 and 26, 2016 telephone conferences with the Court and in preparation for the next status conference to be held on March 3, 2016 at 11:00 a.m. The upcoming status conference will be the sixth in a series held by this Court since January 21, 2016. Each of these status conferences has focused primarily upon the Court's January 21st

Order that “Defendant ... put purged voters who are authorized to be back on the registration list.” [Doc. 28].

Plaintiffs’ counsel made diligent efforts to locate the purged voters who are still eligible to vote in Hancock County so that they could be restored to the voter registration rolls in time for the March 1, 2016 presidential preference primary and Sparta special mayoral elections. As of February 29, 2016, it is the understanding of Plaintiffs’ counsel that Defendants have now fully restored 17 of the 53 purged voters to the voter registration rolls. Two of the 53 purged voters, Emma Johnson and Daphne Heath, died before Defendants took action to restore them to the voter rolls. 8 of the purged voters were placed into “challenged” status under O.C.G.A. Section 21-2-230, which will permit them to update their address information when they request a ballot if they are still eligible to vote in Hancock County.

CURRENT STATUS

Plaintiffs’ counsel have continued their efforts to identify and locate purged voters to determine whether they are still eligible to vote in Hancock County. However, Plaintiffs’ counsel have not yet been able to confirm the status of any additional voters since the February 26, 2016 telephone conference with the Court. Based upon currently available evidence, the following is a tally of the current status of the 53 purged voters:

Voters who have been fully restored to the Hancock County registration list: 17

(Sierra Battle, Virginia Battle, Johnathan Clayton, Samuel Clayton, Tarneshia Cobbs, Jarlessia Heath, Jimmy Johnson, Natasha Deanna Jones, Troy Latimore, Keith Leslie, Nelson Mitchell, Alice Scott, Moriah Speights, Sanquan Thomas, Johnny Thornton, Quintina Walker and Sherrod Williams).

Voters in O.C.G.A. Section 21-2-230 challenged status: 8

(Danita Ann Bates, Shanta Bly, Vendal Gilbert, Brian Glover, Brandon Littleton, Carl Lott, Jr., Twaniqua Shivers, James Tucker)

**Voters who were eligible to vote in Hancock County, but died before they
Were restored to the voter registration list: 2**

(Daphne Heath and Emma Johnson)

**Balance of purged voters whom Plaintiffs concede may no longer be eligible to vote
in Hancock County: 26**

On February 25, 2016 the BOER fully restored Natasha Deanna Jones to the Hancock County voter registration list and placed Danita Ann Bates, Shanta Bly, Vendal Gilbert, Brian Glover, Brandon Littleton, Carl Lott, Jr., Twaniqua Shivers, and James Tucker into “challenged” status under O.C.G.A. 21-2-230.

On February 29, 2016, Plaintiff Johnny Thornton was fully restored to the Hancock County voter registration list by a vote of 4 to 1. Defendant Nancy Stephens was the sole dissenter and continued to assert some of the same baseless arguments she made in her challenge to Mr. Thornton’s eligibility during the February 29, 2016 BOER meeting, including that Mr. Thornton had no electrical utility service at his property even though Georgia Power utility bills demonstrated conclusively that there was no merit to Ms. Stephens’ contention.

PROPOSED SCHEDULE

Plaintiffs are now anxious to begin discovery with the ultimate goal of securing a permanent injunction to prevent Defendants from engaging in similar misconduct in the future. Plaintiffs have every reason to believe that such an injunction is necessary given the Defendants’ recalcitrance to replace qualified voters to the rolls over the last several months. With that in mind, Plaintiffs are proposing the following discovery schedule:

Fact Discovery to begin immediately and end June 1, 2016

Plaintiffs will designate experts and provide reports on June 1, 2016

Defendants will depose plaintiffs' experts and cross-designate experts and provide reports by June 30, 2016

Plaintiffs will depose defendants' experts and cross-designate rebuttal experts by July 31, 2016

Defendants will have a limited number of additional document requests of defendants.

As soon as those documents can be produced, plaintiffs are prepared to begin depositions.

Plaintiffs request that those limited documents be produced on an expedited basis, if possible.

Plaintiffs expect approximately 10 depositions will be necessary. This schedule should permit a hearing as early as September if that is convenient for the Court.

Respectfully submitted,

/s/ William V. Custer

William V. Custer
Georgia Bar No. 202910
Jennifer B. Dempsey
Georgia Bar No. 217536
Bryan Cave LLP
One Atlantic Center
Fourteenth Floor
1201 West Peachtree Street, NW
Atlanta, Georgia 30309-3488
Phone: (404) 572-6600
Fax: (404) 572-6999
E-mail: bill.custer@bryancave.com
jennifer.dempsey@bryancave.com

/s/ Julie M. Houk

Ezra Rosenberg
New Jersey Bar No. 012671974
Julie M. Houk
California Bar No. 114968
John Powers
District of Columbia Bar No. 1024831
The Lawyers' Committee for
Civil Rights Under Law
1401 New York Avenue NW
Suite 400
Washington, DC 20005
Phone: (202) 662-8345 (Ezra Rosenberg)

Phone: (202) 662-8391 (Julie Houk)
Fax: (202) 783-0857
Email: erosenberg@lawyerscommittee.org
jhouk@lawyerscommittee.org
jpowers@lawyerscommittee.org

Attorneys for Plaintiffs
Georgia State Conference of the NAACP
Georgia Coalition for the Peoples' Agenda
Merritt Hubert
Taurus Hubert
Johnny Thornton
Martee Flournoy
Larry Webb
Sanquan Thomas

CERTIFICATE OF SERVICE

I hereby certify that I caused the foregoing **PLAINTIFFS' STATUS REPORT** to be electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the attorneys of record.

This 3rd day of March, 2016.

/s/ Julie M. Houk
Julie M Houk
California Bar No. 114968
The Lawyers' Committee for
Civil Rights Under Law
1401 New York Avenue NW
Suite 400
Washington, DC 20005
Phone: (202) 662-8391
Fax: (202) 783-0857
E-mail: jhouk@lawyerscommittee.org